



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Second Floor
Cleveland, Ohio 44114-1839
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7012 2210 0000 5209 2322
RETURN RECEIPTS REQUESTED
HAND DELIVERED TO MR. REILY**

June 27, 2014

Michael E. George
S&K Statutory Agent Services, Inc.
3475 Ridgewood Road
Akron, OH 44333

Mike Reily
RCI Services, LLC
1492 Elderwood
East Cleveland, OH 44113

NON-HPV

RE: 1705 NOBLE ROAD PROPERTIES, LLC, EAST CLEVELAND, OH 44112

FACILITY ID: CL 14-1409

NOTICE OF VIOLATION: Operating without a permit and failure to submit a revised Ohio EPA Notification of Demolition and Renovation.

Dear Mr. George and Mr. Reily:

On June 24, 2014, the Cleveland Division of Air Quality (CDAQ) investigated a complaint for 1705 Noble Road Properties, LLC (Noble Properties) site located at 1705 Noble Road in East Cleveland. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Noble Properties' operation of storage piles, paved and unpaved roadways, and waste handling is in violation of Ohio Administrative Code (OAC) Rule 3745-31-02(A)(1), and Ohio Revised Code (ORC) Sections 3704.05(F) and (G) for operating emission sources without first applying for and obtaining Permits-to-Install/Operate (PTIOs).



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Noble Properties submit PTIO applications within thirty (30) days of your receipt of this letter to the following address:

Permit Section
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

Additionally, on May 1, 2014, Noble Properties became the owner of the 1705 Noble Road property (former GE plant), after purchasing it from the City of East Cleveland. Noble Properties failed to notify CDAQ of the ownership change by not submitting an amended Ohio EPA Notification of Demolition and Renovation. Noble Properties also failed to revise the completion dates for on-going demolition activities at this site, causing the same notification to expire on June 13, 2014.

CDAQ request that Noble Properties, LLC submit a new Ohio EPA Notification of Demolition and Renovation, with a new start date at least 10 working days before continuation of any demolition-related activities, to the following enforcement representative:

Roman Fedorko
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

Your written response to this letter must be received by CDAQ within thirty (30) days of your receipt of this letter. If there is insufficient time to correct the alleged violations within this timeframe, your response must include a timeline for correcting the alleged violations.

PTIO applications may be completed through the Ohio EPA eBusiness Center at <https://ebiz.epa.ohio.gov/>. An account is required to be created and a pin number assigned. PTIO applications can also be downloaded at <http://www.epa.state.oh.us/dapc/fops/eac/eacforms.aspx>

Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in ORC Section 3704.99(A), which allows fines of not more than twenty-five thousand dollars (\$25,000) or imprisonment for not more than one year, or both, for each violation.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.ohio.gov/ocapp> or (614) 644-3469 or (800) 329-7518.



CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by OCAPP.

Facilities that want to investigate methods of pollution prevention to reduce raw material usage and waste production can contact the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.state.oh.us/ocapp> or (614) 644-3469 or (800) 329-7518 and there is no charge for their services.

CDAQ issues this letter with Ohio EPA's concurrence. The failure to mention any specific violation does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action. Should you have any questions, please call Roman Fedorko at (216)664-4794. All correspondence with CDAQ must include the Ohio EPA facility identification number for Noble Road: CL 14-1409.

Sincerely,

A handwritten signature in blue ink that reads "Valencia S. White".

Valencia White
Chief of Enforcement, CDAQ

VW/rf

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
Dane Tussel, Cuyahoga County Board of Health
John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
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